



PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Taiichiroh MEGURO, *et al.*

Application No.: 09/987,205

Filed: November 13, 2001

For: CATHETER ASSEMBLE

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)
) Confirmation No: 6172
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) Group Art Unit: 3762
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) Examiner: S. Kennedy
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Sir:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

In response to the restriction requirement set forth in the Office Action mailed June 3, 2003, the period for response to which extends through July 3, 2003, Applicants elect the invention defined by the Examiner as Species I. Claim 1 reads on the elected specie.

It is respectfully submitted that the subject matter of all claims 1-26 is related such that a thorough search for the subject matter for any one specie would encompass a search or the subject matter of the remaining specie. Further it is submitted that the total number of species is not an unreasonable number of species to examine. Thus, it is respectfully submitted that the search and examination of the entire application could be performed without serious burden. M.P.E.P. § 803 clearly states that "if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes two distinct or independent inventions." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to the Applicant and duplicative examination by the United States Patent and Trademark Office. The Examiner is respectfully requested to reconsider and withdraw the election of species requirement and to examine all claims in this application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this

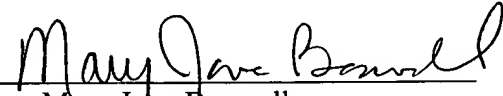
application including fees due under 37 C.F.R. §1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: July 3, 2003

By:


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